

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
J & J SPORTS PRODUCTIONS, INC.

Plaintiff

07 CV 8759

-AGAINST-

NUESTRO BAR INCORPORATED  
d/b/a NUESTRO BAR  
and LUIS PENA  
and HECTOR LIMAS CASTILLO

Defendant

-----X

AMENDED  
**AFFIDAVIT FOR JUDGMENT**  
**BY DEFAULT**

STATE OF NEW YORK     )  
                                   )     ss:  
COUNTY OF NEW YORK    )

Paul J. Hooten, being duly sworn, deposes and says:

I am a member of the Bar of this Court and am associated with the firm of Paul J. Hooten & Associates, attorney for plaintiff in the above-entitled action and I am familiar with all the facts and circumstances in this action.

1. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of New York, in support of plaintiffs application for the entry of a default judgment against defendant.

2. This is an action to recover the unauthorized exhibition of the telecast of the February 25, 2006, boxing match between Fernando Vargas and Shane Mosley by the defendant. See attached summons and complaint attached hereto as Exhibit "A".

3. This action was commenced on October 10, 2007 by the filing of the summons and complaint. A copy of the summons and complaint was served on the defendant Nuestro Bar Incorporated d/b/a Nuestro Bar on November 15, 2007 by service on Donna Christie, Clerk

Authorized to Accept in the office of the Secretary of State of New York. The defendant has not answered the complaint and the time for the defendant to answer the complaint has expired.

4. This action seeks judgment in the amount of \$20,000.00, plus interest at 9% from February 25, 2006, amounting to \$3,900.00, plus costs and disbursements of this action in the amount of \$470.00 amounting in all to \$24,370.00.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: Mt. Sinai, New York  
JULY 22, 2008

/s/ Paul J. Hooten  
Paul J. Hooten (PJH9510)

Sworn to before me this  
22 day of July, 2008

/s/ Cheryl E. Lorefice  
Notary Public

Cheryl E. Lorefice  
Notary Public, State of New York  
No. 4999823  
Qualified in Suffolk County  
Commission Expires August 3, 2010

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AMENDED  
**STATEMENT OF DAMAGES**

Defendant

-----X

Amount of judgment ..... \$20,000.00

Interest at 9% from February 25, 2006 through July,, 2008 ..... \$ 3,900.00

Costs and Disbursements:

Clerk's fee ..... \$ 350.00

Process Server fee for service ..... \$ 120.00

Total as of April 2008..... \$24,370.00

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AMENDED  
**CERTIFICATE OF SERVICE**

Defendant

-----X

I certify that a copy of the Default Judgment, Affidavit for Judgment by Default, and  
Statement of Damages was sent via U.S. Postal Service, postage prepaid, first class mail,  
addressed to the following on July 22, 2008:

Nuestro Bar Incorporated  
d/b/a Nuestro Bar  
8 East Mount Eden Ave.  
Bronx, NY 10457

By: /s/ Paul J. Hooten  
Paul J. Hooten, Esquire  
Attorney for Plaintiff  
5505 Nesconset Highway, Suite 203  
Mt. Sinai, NY 11766  
Telephone (631) 331-0547